IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

W.P.(C).No. 3329 of 2007(U)

PETITIONERS:

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1. V.M.VALSAN, S/O.VADAKEDATH MADHAVAN,
   PANTHALLOOR DESOM, NELLAYI,
   THRISSUR DISTRICT.

2. M.P.RAPPAI, MECHERIL HOUSE,
   PUDUKKAD DESOM, THRISSUR DISTRICT.

BY ADV. SRI.V.V.NANDAGOPAL NAMBIAR
SRI. T.P.PRADEEP
SMT. PREEJA. P.VIJAYAN

RESPONDENTS:

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1. THE GEOLOGIST, THRISSUR.

2. THE REVENUE DIVISIONAL OFFICER,
   THRISSUR.

3. M.B.RAJU, MUPPATTIL HOUSE,
   KUZHIKKATTU KONAM, THRISSUR.

4. DISTRICT COLLECTOR, THRISSUR.

BY GOVERNMENT PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN,J

W.P.(C).NO.3329 OF 2007

DATED THIS THE 31st DAY OF JANUARY, 2007

JUDGMENT

This writ petition is for seeking the following reliefs.

i) issue a writ of mandamus or other appropriate writ, order or direction commanding 1st respondent to take a decision in the matter of renewing mining permits to the petitioner in the light of Ext. P2 and P7 reports on merits.

ii) to declare that the petitioners are entitled to mine sand from their own land on the basis of valid permits:

iii) to grant such other reliefs as may be prayed for in the circumstances of the case.

Having heard the learned counsel for the petitioner and the learned Government pleader, this Writ Petition is disposed of directing that if applications of the petitioners for renewal of mining permits are pending for consideration, the same shall be taken up, considered and decided by the first respondent after giving the petitioners an opportunity of hearing. If

Exts.P2 and P7 reports are relevant they shall also be considered. A final decision shall be taken up at the earliest, at any rate within a period from the date of receipt of this judgment. The petitioner will also produce a copy of this writ petition before the first respondent.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

dvs